

SENATE JOINT RESOLUTION 160

By Kilby

A RESOLUTION urging the United States Congress to adopt legislation revising rules of the federal Motor Carrier Safety Administration.

WHEREAS, the federal Government regulates the issuance of commercial driver licenses; and

WHEREAS, in September 2002, the federal Motor Carrier Safety Administration amended its rules to adopt new requirements that states must follow relative to the issuance of commercial driver licenses; and

WHEREAS, Tennessee must comply with these new rules by September 30, 2005, or incur a substantial loss of federal highway funds; and

WHEREAS, if Tennessee does not timely adopt legislation bringing the state into compliance with such new rules, the federal government can withhold five percent (5%) of federal highway funds the first year of non-compliance and ten percent (10%) of federal highway funds for all subsequent years and, in addition, can decertify Tennessee's commercial driver license program; and

WHEREAS, the withholding of such amounts from federal highway funds would have a catastrophic effect upon road planning, development and construction in this state; and

WHEREAS, these federal rules place an unfair burden upon Tennessee, as evidenced by the draconian measures imposed for noncompliance; and

WHEREAS, federal mandates without a determination of a national need are an onerous burden upon the several states and an infringement upon states' rights; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES

CONCURRING, that we hereby urge Tennessee's Congressional delegation to introduce appropriate legislation that would supersede rules adopted by the Federal Motor Carrier Safety Administration revising commercial driver license requirements and use the full measure of their individual and collective power and influence to ensure the adoption of such legislation by the United States Congress.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be delivered to each member of Tennessee's Congressional delegation.